

JC575 U.S. PTO
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PTO/SB/50 (1/98)

Approved for use through 09/30/2000. OMB 0651-0033

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.**REISSUE PATENT APPLICATION TRANSMITTAL**

Address to: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231	Attorney Docket No.	5355-RE02
	First Named Inventor	RODERICK THOMPSON
	Original Patent Number	5,472,790
	Original Patent Issue Date (Month/Day/Year)	December 5, 1995
	Express Mail Label No.	EI764847739US

APPLICATION FOR REISSUE OF: Utility Patent Design Patent Plant Patent
(check applicable box)

APPLICATION ELEMENTS		ACCOMPANYING APPLICATION PARTS	
1. <input checked="" type="checkbox"/> * Fee Transmittal Form (PTO/SB/56) (Submit an original, and a duplicate for fee processing)	7. <input type="checkbox"/> Transfer drawings from Patent File		
2. <input checked="" type="checkbox"/> Specification and Claims <u>amended</u> , if appropriate	8. <input type="checkbox"/> Foreign Priority Claim (35 U.S.C. 119) (if applicable)		
3. <input checked="" type="checkbox"/> Drawing(s) (proposed amendments, if appropriate)	9. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input checked="" type="checkbox"/> Copies of IDS Citations		
4. <input checked="" type="checkbox"/> Reissue Oath / Declaration (original or copy) (37 C.F.R. § 1.175)(PTO/SB/51 or 52)	10. <input type="checkbox"/> English Translation of Reissue Oath/Declaration (if applicable)		
5. Original U.S. Patent <input type="checkbox"/> Offer to Surrender Original Patent(37 C.F.R. § 1.178) (PTO/SB/53 or PTO/SB/54) <input checked="" type="checkbox"/> or <input type="checkbox"/> Ribboned Original Patent Grant <input type="checkbox"/> Affidavit / Declaration of Loss (PTO/SB/55)	11. <input checked="" type="checkbox"/> * Small Entity Statement(s) <input type="checkbox"/> Statement filed in prior application (PTO/SB/09-12) <input type="checkbox"/> Status still proper and desired		
6. Original U.S. Patent currently assigned? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If Yes, check applicable box(es)) <input checked="" type="checkbox"/> Written Consent of all Assignees (PTO/SB/53 or 54) <input checked="" type="checkbox"/> 37 C.F.R. § 3.73(b) Statement <input type="checkbox"/> Power of Attorney	12. <input type="checkbox"/> Preliminary Amendment 13. <input checked="" type="checkbox"/> Return Receipt Postcard(MPEP 503) (Should be specifically itemized) 14. <input checked="" type="checkbox"/> Other: ..(1)..SUPPLEMENTAL REISSUE ..DECLARATION BY INVENTOR (2) NOTICE OF RELATED PROCEEDINGS.....		

* A new statement is required to be entitled to pay small entity fees, except where one has been filed in a prior application and is being relied upon.

15. CORRESPONDENCE ADDRESS					
<input type="checkbox"/> Customer Number or Bar Code Label		(Insert Customer No. or Attach bar code label here)		or <input checked="" type="checkbox"/> Correspondence address below	
Name	LAWRENCE D. MAXWELL, ESQ. BROWN, MARTIN, HALLER & McCLAIN, LLP				
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NAME (Print/Type)	LAWRENCE MAXWELL	Registration No. (Attorney/Agent)	35,276
Signature	<i>Lawrence Maxwell</i>		Date 1/28/98

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

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REISSUE APPLICATION FEE TRANSMITTAL FORM

Docket Number (Optional)

5355-RE02

Claims as Filed - Part 1

Claims in Patent	For	Number Filed in Reissue Application	(3) Number Extra	Small Entity		Other than a Small Entity	
				Rate	Fee	Rate	Fee
(A) 9	Total Claims (37 CFR 1.16(j))	(B) 11	**** 0 = x \$ ____ =			or x \$ ____ =	
(C) 2	Independent Claims (37 CFR 1.16(i))	(D) 4	* 1 = x \$ <u>41</u> = 41			x \$ ____ = 1	41
Basic Fee (37 CFR 1.16(h))				\$ ____		\$ ____	395
Total Filing Fee				\$ ____		OR	\$ 436

Claims as Amended - Part 2

	(1) Claims Remaining After Amendment		(2) Highest Number Previously Paid For	(3) Extra Claims Present	Small Entity		Other than a Small Entity	
					Rate	Fee	Rate	Fee
Total Claims (37 CFR 1.16(j))	***	MINUS	**	* = x \$ ____ =			or x \$ ____ =	
Independent Claims (37 CFR 1.16(i))	***	MINUS	*****	= x \$ ____ =			x \$ ____ =	
Total Additional Fee				\$ ____		OR	\$ ____	

* If the entry in (D) is less than the entry in (C), Write "0" in column 3.

** If the "Highest Number of Total Claims Previously Paid For" is less than 20, Write "20" in this space.

*** After any cancellation of claims

**** If "A" is greater than 20, use (B -A); if "A" is 20 or less, use (B - 20).

***** "Highest Number of Independent Claims Previously Paid For" or Number of Independent Claims in Patent (C).

Please charge Deposit Account No. _____ in the amount of _____. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any additional fees under 37 CFR 1.16 or 1.17 which may be required, or credit any overpayment to Deposit Account No. 02-4070. A duplicate copy of this sheet is enclosed.

A check in the amount of \$ 436 to cover the filing / additional fee is enclosed.

1/28/98
Date
Signature of Applicant, Attorney or Agent of Record

Lawrence D. Maxwell, Reg. No. 35,276

Typed or printed name

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of) FOR: PREPARATION AND
Patentee: RODERICK THOMPSON) TRANSFER SHEET
Patent No.: 5,472,790) Reissue filed: herewith
Issue Date: December 5, 1995) Art Unit: unknown
)

CERTIFICATION UNDER 37 C.F.R. § 3.73(b),
EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71
AND OFFER TO SURRENDER THE ORIGINAL PATENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

An executed assignment document from the named inventor to New Age Products, Inc., recorded at Reel/Frame 7519/0085, establishes that New Age Products, Inc. is the assignee of the entire right, title and interest in the patent to which the above-identified reissue application relates. New Age Products, Inc. hereby invokes its right under 37 C.F.R. § 3.71 to prosecute the reissue application to the exclusion of the inventor. New Age Products, Inc. hereby offers to surrender the original patent.

Dated: 1-27-98



MARVIN MICK
President
New Age Products, Inc.

jc575 U.S. PTO
01/28/98

jc551 U.S. PTO
09/01/9518
01/28/98

STAMP HEREON ACKNOWLEDGES RECEIPT OF THE FOLLOWING IN THE U.S. PATENT AND TRADEMARK OFFICE (VIA EXPRESS MAIL) ON 1/28/98:

DOCKET NO.: 5355-RE02

LDM/meg

APPLICANT: RODERICK THOMPSON - ASSIGNEE: NEW AGE PRODUCTS, INC.
FOR: PREPARATION AND TRANSFER SHEET

ENCLOSURES: REISSUE TRANS.; FEE TRNS. (dup.); SPECIFICATION AND CLAIMS; DRAWINGS (1 sheet); REISSUE OATH (PTO/SB/51); CERTIFICATION UNDER 37 CFR § 3.73(b); OFFER TO SURRENDER PATENT (PTO/SB/53); NOTICE OF RELATED PROCEEDINGS; SUPP. REISSUE DEC. BY INVENTOR; IDS; FORM PTO-1449 (dup.); REFS CITED IN FORM PTO-1449; \$436 FILING FEE CHECK

STAMP HERE SHOWING RECEIPT (THANK YOU):

"Express Mail" Mailing Label No. EI764847739US

Date of Deposit January 28, 1998

I hereby certify that the foregoing documents and fees are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

LAWRENCE D. MAXWELL

(Name)


(Signature)

PROOF OF SERVICE

I, MARY E. GILLETTE, declare that: I am over the age of eighteen (18) years and not party to the case. I am employed in the County of San Diego, where the mailing occurs; and my business address is the Law Offices of Brown, Martin, Haller & McClain, 1660 Union Street, San Diego, California 92101.

On September 17, 1998 I served the foregoing document described as:

Response Under 37 C.F.R. § 1.111

By U.S. Mail Service I caused each such envelope, with postage thereon fully prepaid, to be placed in the United States Mail at San Diego, California, by placing a copy thereof in a separate envelope for each addressee named hereafter, addressed to each such addressee respectively as follows:

John R. Benefiel, Esq.
280 Daines Street, Suite 100B
Birmingham, Michigan 48009-6244

I declare under the penalty of perjury that the above is true and correct and that I am employed in the office of a member of the Bar of this Court at whose direction the service was made. Executed on September 17, 1998, at San Diego, California.


Mary E. Gillette